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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 000616

SIPDIS

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TAGS: [KDEM](#) [PGOV](#) [IZ](#)
SUBJECT: KIRKUK: ARTICLE 23 COMMITTEE PLEDGES TO WORK
THROUGH COR RECESS

REF: A. BAGHDAD 305
[1](#)B. BAGHDAD 428

Classified By: PRT Kirkuk Team Leader Howard Keegan for reasons 1.4 (b) and (d).

This is a Kirkuk Provincial Reconstruction Team (PRT) message.

[1](#)1. (C) SUMMARY: The Council of Representatives (CoR) Article 23 Committee returned to Kirkuk on March 8 and decided that the March 31 deadline set by the Provincial Elections law was "artificial" and therefore set April 14 for release of their report. The Committee deferred until the end of the March the question of whether to request a further extension. It established a three-day work week for Committee members and required that their experts and staff work full time. The Committee also addressed procedural and administrative matters such as how their experts could gather data. The Committee also met with the Governor and received an initial set of data from the directorates. The Committee appears to have shunned the Provincial Council's Working Group on Article 23 (A23WG), which had gathered (albeit without any Arab members) that same morning. END SUMMARY.

BACK IN KIRKUK, THIS TIME FOR THE DURATION?

[1](#)2. (C) The passage of the Iraqi federal budget and the adjournment of the CoR allowed the Article 23 Committee members to break out of Baghdad and return to Kirkuk on March [1](#)8. They proceeded to the Kirkuk Government Building (KGB) where they previously met (reftels), and were joined by a half-dozen aides, a UNAMI note taker, and a PRT IPAO. Kurd Sarteep Mohammed served as chairman for the day's meeting. After reviewing the minutes of their last meeting on February 25, he proposed the day's agenda. The agenda ultimately adopted contained the following matters:

- the schedule for the Committee for the next several weeks;
- a proposed extension to the March 31 deadline for their report;
- the procedure for gaining access to the relevant files of the various provincial government directorates;
- the sharing of government jobs among the main ethnic groups; and
- the procurement of local work space for their experts and staff.

[1](#)3. (C) The Committee's deliberations on their schedule for the next several weeks was straight-forward. They resolved to work through the entire CoR recess. During that period, the Committee members will meet at 10:30 a.m. on Sunday, Monday and Tuesday, with additional days to be added as required. Their experts, however, would regularly work the entire week. They also agreed that if any member had to be absent, such member could designate a proxy to attend the meetings and sign any documents.

14. (C) The Committee next addressed the procedures by which the members, their experts and staff could access the files of the various directorates who had data relevant to land trespasses, voter registries, and power sharing. The main concern was to allow unfettered access to the files to investigate any suspected cases of fraudulent documents. They reached a consensus on a draft letter which the Governor would issue granting them access.

DEADLINES ARE LIKE PIE CRUSTS) MEANT TO BE BROKEN

15. (C) With a March 31 deadline to submit its recommendations to the CoR, the Committee agreed to extend its deadline to April 14 since CoR would not be back in session until then. A short debate on the length of the extension they should request included a suggestion that it should be until July 2009. Committee Chair Yonadam Kanna suggested that since the Committee, due to the fault of the CoR, had not started its work until February, it should be allowed an extension equal to the time they had lost since November 1, when they were supposed to start. Relatively quickly though, they decided to defer addressing the issue of the extension until they had a chance to see how much progress they would make over the next few weeks. They resolved to complete their recommendations by April 14. If they were not done by then, they would request an extension (and possibly present an interim report).

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POWER SHARING) A PREVIEW OF THE SPARRING TO COME

16. (C) Kurd Khalid al-Shwani returned to the sore subject of the Ministry of Interior's (MoI) directive to hire 241 Shia recruits as First Sergeants to the Iraqi Police in Kirkuk (Reftel B). Al-Shwani stated that such intrusive actions by the GoI sabotaged the Committee's negotiations on power sharing. He asserted that "other groups" don't want a local solution. This caused Arab Mohammed al-Tamimi to immediately interject and demand al-Shwani to define "other groups." Al-Shwani clarified that he didn't mean any members of the Committee, but rather other people in Baghdad. This did not mollify the Arabs who, joined by the Turkomen, fired back that the KRG was orchestrating disproportionate hiring of Kurds into the Directorates of Education and Health.

17. (C) Al-Tamimi suggested a way to counteract such practices was to reinvigorate the PC's Hiring Committee, which can review candidates for jobs and disqualify those without the requisite education and job experience. He also cautioned that the timetable to completely implement the power sharing plan may be long, noting that the settlement of similar issues in Belfast involved a ten-year implementation period. Chairman Sartep Mohammed then proposed that Baghdad freeze hiring all non-essential government positions in Kirkuk until the CoR receives and acts upon their recommendations. The discussion then degenerated into simultaneous exchanges between different Committee members until the Chairman exhorted his "brothers" to stop.

GOVERNOR WELCOMES COMMITTEE AND OFFERS SUPPORT

18. (C) In their meeting with the Governor, the Committee requested the data which they had earlier requested pertaining to land trespasses, voter registries and power sharing. The Governor produced the requested information and agreed to issue a letter granting access to the files of the provincial directorates. He also provided his direct phone

number. However, the Governor was unable to provide housing for Committee member or staff. He urged the Committee to press the GoI for funds to rent office space. Following its meeting with the Governor, the Committee granted individual press interviews and then resumed their deliberations, briefly discussing the data packets. Upon conclusion, they agreed to meet March 10.

PC'S A23WG SHUNNED BY THE COMMITTEE

¶9. (C) While the Committee was in session on the first floor of the KGB, one floor above them, the A23WG conducted its own meeting. The Committee made no effort to contact the A23WG and showed no signs that it would do so in the foreseeable future. Given the failure of the Arab members to attend, it may have been just as well. The seven Kurds and four Turkomen who did attend, waited for 45 minutes before PC Chairman Rizgar Ali bitterly complained. He cited past efforts to encourage the Arabs' attendance and proposed those present proceed.

¶10. (C) Various members then joined a chorus of complaints against the Arabs. Kurd Ahmed Askari suggested that something more sinister was behind the Arabs, absence) namely, their goal of obstructing A23WG progress. The A23WG canceled the meeting and signed a joint letter addressed to the Arab bloc, stating that the meeting times of the group Qthe Arab bloc, stating that the meeting times of the group are well-established, noted their absence from the day's meeting, and asked the Arabs to be sure to attend in the future.

¶11. (C) COMMENT. Having hibernated four months through the winter, the CoR's Article 23 Committee finally appears to have emerged from its den. Whether they can make enough progress before the CoR reconvenes on April 14 and members are distracted by issues other than Article 23 remains to be seen. The Committee's reluctance to meet with the A23WG is disappointing, especially given the support which (then) Senators Biden's and Graham's expressed on January 13 for a local solution to Kirkuk's political issues. END COMMENT.
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